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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/579,976	05/22/2006	Jong Chul Bang	9988.327.00	3738

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MCKENNA LONG & ALDRIDGE LLP  
1900 K STREET, NW  
WASHINGTON, DC 20006

EXAMINER
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RIGGLEMAN, JASON PAUL

ART UNIT	PAPER NUMBER
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1792

MAIL DATE	DELIVERY MODE
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12/07/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/579,976	<b>Applicant(s)</b> BANG, JONG CHUL	
	<b>Examiner</b> JASON P. RIGGLEMAN	<b>Art Unit</b> 1792	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 25 June 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1,2,5,8-10 and 13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,5,8-10 and 13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                    | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Status of Claims***

1. Applicant's reply filed on 6/25/2009 is acknowledged. Current pending claims are 1-2, 5, 8-10, and 13. Claims 3-4, 6-7, 11-12, and 14-19 have been cancelled. Claims 1, 8, 10, and 13 are amended.

### ***Response to Arguments***

2. Applicant's arguments, filed 6/25/2009, have been considered. The applicant's arguments with respect to the claims are moot in view of the new grounds of rejection (necessitated by amendment). The claim objections are withdrawn in view of the re-formatted claims. The 35 U.S.C. 112, second paragraph, rejections of claims 4, 11, 16, and 18 are withdrawn in view of the cancellation of the claims. The 112, second paragraph, rejection of claim 1 is maintained since the structural features of the connecting portion are not clearly claimed by the applicant.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The structure of the "connecting portion" is not understood. Note: this appears to be critical to the applicant's invention.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-2, 5, 8-10, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sassone (German Patent Publication No. DE19650861) in view of Riller et al. (German Patent Publication No. 3728608).

7. Sassone teaches an aqua stopping device (1A) for a washing device having a valve body (valve housing 2A) including a passage (conduit 3A) formed within. Valves (solenoid valve 4) are aligned to open and close the passage. A signal wire (electrical cable 21A) is connected to a terminal of the valves. A connecting wire (terminal ends 37) is connected to the signal wire and extends outward a predetermined distance. A connecting portion (resin surrounding the terminal ends 37) is provided at a portion connecting the signal wire (electrical cable 21A) to the connecting wire (terminal ends 37). An inner case (coat body 30) encloses the connecting portion as well as the valves. A connecting tube (3A) is attached to a lower portion of the valve body for passing wash water there through. An outer tube (element 33) is disposed around an exterior of the connecting tube for enclosing the connecting tube.

8. Sassone does not teach that an outer case surrounds (and is connected to the inner case) and forming an empty space; however, Riller et al. teaches outer case which surrounds the inner case and is connected to the inner case, Fig. 2. The device of Riller et al. has an empty space formed between the outer case and inner case. It would have been obvious to one of ordinary

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skill in the art at the time of the invention to modify Sassone with Riller et al. to create a wash-stopping device which had room to install additional components as needed inside the outer case to achieve the expected result and to connect the inner to outer case to improve stability to achieve the expected result. As a result, the use of filler at only the connecting portions would increase the amount of space inside the modified device to achieve the expected result of having additional room for more components.

9. Sassone, as modified by Riller, above, does not teach that the valves are in the “empty” outer case and the connecting portion in the “filled” inner case (that they are partitioned into modules) ; however, it has been held that making elements separable, absent any showing of criticality, is not patentable (*In re Dulberg* 129 USPQ 148). The combination of Sassone, as modified by Riller, appears to function in the same way as the claimed invention and no criticality has been demonstrated by the applicant's design. The applicant has shown no criticality for this design feature. It would have been obvious to modify Sassone, as modified by Riller, above, since the device would operate the same and would not be patentably distinct.

### ***Conclusion***

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASON P. RIGGLEMAN whose telephone number is (571)272-5935. The examiner can normally be reached on M-F, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on 571-272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael Barr/  
Supervisory Patent Examiner, Art Unit 1792

Jason P Riggleman  
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/J. P. R./  
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